

ESTTA Tracking number: **ESTTA192718**

Filing date: **02/14/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Ashley Furniture Industries, Inc.		
Entity	Corporation	Citizenship	Wisconsin
Address	One Ashley Way Arcadia, WI 54612 UNITED STATES		

Attorney information	Ronald A DiCerbo McAndrews, Held & Malloy 500 West Madison 34th Floor Chicago, IL 60661 UNITED STATES rdicerbo@mcandrews-ip.com Phone:312 775 8000		
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Applicant Information

Application No	77116839	Publication date	01/15/2008
Opposition Filing Date	02/14/2008	Opposition Period Ends	02/14/2008
Applicant	Ashley Judd c/o Steven Gerber, Esq 666 Fifth Avenue, 26th Flr. New York, NY 10103 UNITED STATES		

Goods/Services Affected by Opposition

Class 020. All goods and services in the class are opposed, namely: Furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal
Class 024. All goods and services in the class are opposed, namely: Bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtains and draperies, table cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics

Applicant Information

Application No	77116870	Publication date	01/15/2008
Opposition Filing Date	02/14/2008	Opposition Period Ends	02/14/2008
Applicant	ASHLEY JUDD c/o Steve Gerber 666 Fifth Avenue, 26th Flr. New York, NY 10103		

	UNITED STATES
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Goods/Services Affected by Opposition

<p>Class 020. All goods and services in the class are opposed, namely: Furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal</p>
<p>Class 024. All goods and services in the class are opposed, namely: Bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtains and draperies, tables cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics</p>

Applicant Information

Application No	77131841	Publication date	01/15/2008
Opposition Filing Date	02/14/2008	Opposition Period Ends	02/14/2008
Applicant	Ashley Judd 26th Flr c/o Steven Gerber, Esq, 666 Fifth Avenue New York, NY 10103 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 020. All goods and services in the class are opposed, namely: Furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal</p>
<p>Class 024. All goods and services in the class are opposed, namely: Bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtains and draperies, tables cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics</p>

Applicant Information

Application No	77132209	Publication date	01/15/2008
Opposition Filing Date	02/14/2008	Opposition Period Ends	02/14/2008
Applicant	Ashley Judd 26th Flr. c/o Steven Gerber, Esq, 666 Fifth Avenue New York, NY 07670 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 020. All goods and services in the class are opposed, namely: Furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal</p>
<p>Class 024. All goods and services in the class are opposed, namely: Bed sheets, mattress pads, pillow cases,</p>

pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtains and draperies, table cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2980669	Application Date	06/07/2004
Registration Date	08/02/2005	Foreign Priority Date	NONE
Word Mark	A ASHLEY FURNITURE HOMESTORE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2004/04/15 First Use In Commerce: 2004/04/15 retail store services in the field of furniture		

U.S. Registration No.	2894665	Application Date	06/13/2003
Registration Date	10/19/2004	Foreign Priority Date	NONE
Word Mark	A ASHLEY FURNITURE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/09/01 First Use In Commerce: 2001/09/01 retail stores services in the field of furniture		

U.S. Registration No.	2752333	Application Date	06/24/2002
Registration Date	08/19/2003	Foreign Priority Date	NONE
Word Mark	ASHLEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 2002/01/01 First Use In Commerce: 2002/01/01 furniture		

U.S. Registration No.	2680466	Application Date	01/29/2002
Registration Date	01/28/2003	Foreign Priority Date	NONE
Word Mark	ASHLEY FURNITURE HOMESTORE		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1998/06/01 First Use In Commerce: 1998/06/01 retail store services in the field of furniture

U.S. Registration No.	2449045	Application Date	03/08/2000
Registration Date	05/08/2001	Foreign Priority Date	NONE
Word Mark	ASHLEY FURNITURE HOMESTORE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1998/06/01 First Use In Commerce: 1998/06/01 retail store services in the field of furniture		

U.S. Registration No.	2231864	Application Date	11/19/1997
Registration Date	03/16/1999	Foreign Priority Date	NONE
Word Mark	ASHLEY HOMESTORES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/10/03 First Use In Commerce: 1997/10/03 retail store services in the field of furniture		

U.S. Registration No.	2053455	Application Date	07/13/1995
Registration Date	04/15/1997	Foreign Priority Date	NONE
Word Mark	ASHLEY WILKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1996/10/17 First Use In Commerce: 1996/10/17 furniture		

U.S. Registration No.	1903578	Application Date	11/13/1992
Registration Date	07/04/1995	Foreign Priority Date	NONE
Word Mark	A THE ASHLEY COMPANIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1994/10/01 First Use In Commerce: 1994/10/01 furniture		

U.S. Registration	1864076	Application Date	10/28/1993
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No.			
Registration Date	11/22/1994	Foreign Priority Date	NONE
Word Mark	ASHLEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1993/07/12 First Use In Commerce: 1993/07/12 retail store services in the field of furniture		

U.S. Registration No.	1604686	Application Date	07/28/1988
Registration Date	07/03/1990	Foreign Priority Date	NONE
Word Mark	A ASHLEY FURNITURE INDUSTRIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1984/01/00 First Use In Commerce: 1984/01/00 FURNITURE		

U.S. Registration No.	1600879	Application Date	07/10/1989
Registration Date	06/12/1990	Foreign Priority Date	NONE
Word Mark	ASHLEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1946/00/00 First Use In Commerce: 1946/00/00 FURNITURE		

U.S. Application No.	76673591	Application Date	03/05/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	A ASHLEY FURNITURE INDUSTRIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 comforters, bed skirts, throws, and pillow shams Class 027. First use: First Use: 2005/02/00 First Use In Commerce: 2005/02/00 area rugs		

U.S. Application No.	76648805	Application Date	11/14/2003
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	A ASHLEY ODDS & ENDS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: retail store services in the field of furniture		

U.S. Application No.	76649761	Application Date	10/28/2005
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	A ASHLEY FURNITURE INDUSTRIES, INC.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 011. First use: First Use: 1999/02/03 First Use In Commerce: 1999/02/03 lamps		

U.S. Application No.	76646621	Application Date	09/12/2005
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ASHLEY FURNITURE HOMESTORE OUTLET		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: retail store services in the field of furniture		

U.S. Application No.	76647963	Application Date	10/05/2005
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ASHLEY FURNITURE HOMESTORE OUTLET		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: retail store services in the field of furniture		

U.S. Application No.	76535371	Application Date	07/28/2003
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ASHLEY FURNITURE SUPERSTORE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use:		

	Retail store services in the field of furniture
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U.S. Application No.	76535368	Application Date	07/28/2003
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ASHLEY FURNITURE SUPERSTORE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: Retail store services in the field of furniture		

U.S. Application No.	75614632	Application Date	01/04/1999
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LADY ASHLEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1998/08/20 First Use In Commerce: 1998/08/20 mattresses, other than mattresses sold through upscale and high-end retail stores		

U.S. Application No.	76506913	Application Date	03/31/2003
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ASHLEY FURNITURE EXPRESS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: Retail store services in the field of furniture		

Attachments	76596048#TMSN.gif (1 page)(bytes) 76524103#TMSN.gif (1 page)(bytes) 76424448#TMSN.gif (1 page)(bytes) 76363814#TMSN.gif (1 page)(bytes) 75938885#TMSN.gif (1 page)(bytes) 74330809#TMSN.gif (1 page)(bytes) 73742836#TMSN.gif (1 page)(bytes) 76673591#TMSN.gif (1 page)(bytes) 76648805#TMSN.jpeg (1 page)(bytes) 76649761#TMSN.jpeg (1 page)(bytes) 76646621#TMSN.gif (1 page)(bytes) 76647963#TMSN.gif (1 page)(bytes) 76535371#TMSN.gif (1 page)(bytes) 76535368#TMSN.gif (1 page)(bytes) Notice of Opposition - ASHLEY JUDD.pdf (7 pages)(261885 bytes)
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	Notice of Opposition - ASHLEY BY ASHLEY JUDD.pdf (7 pages)(266732 bytes) Notice of Opposition - A.J. BY ASHLEY JUDD.pdf (7 pages)(266524 bytes) Notice of Opposition - LOVE, ASHLEY.pdf (7 pages)(266908 bytes) Attachment A.pdf (21 pages)(2273512 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Ronald A DiCerbo/
Name	Ronald A DiCerbo
Date	02/14/2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark
Application Serial No. 77/116839
Filing Date: February 27, 2007
Mark: ASHLEY JUDD
Published for Opposition: January 15, 2008

ASHLEY FURNITURE INDUSTRIES, INC.,

Opposer,

v.

ASHLEY JUDD,

Applicant.

Opposition No.

NOTICE OF OPPOSITION

Opposer ASHLEY FURNITURE INDUSTRIES, INC. ("Opposer") believes that it is or will be damaged by registration of the trademark ASHLEY JUDD ("Applicant's Mark") as set forth in U.S. Application Serial No. 77/116839 (the "Application") filed by ASHLEY JUDD ("Applicant"). Accordingly, Opposer hereby opposes registration of Applicant's Mark as to the goods in International Classes 20 and 24.

The grounds for this Opposition are as follows:

1. Opposer is a corporation organized and existing under the laws of the State of Wisconsin.
2. Opposer's principal office is located at One Ashley Way, Arcadia, Wisconsin, 54612.
3. Opposer is the owner of U.S. Reg. No. 1600879 for the trademark ASHLEY

for use on or in connection with "furniture," in International Class 20. U.S. Reg. No. 1600879 was registered on June 12, 1990. U.S. Reg. No. 1600879 has achieved incontestable status.

4. Opposer is the owner of U.S. Reg. No. 1864076 for the trademark ASHLEY for use on or in connection with "retail store services in the field of furniture," in International Class 42. U.S. Reg. No. 1864076 was registered on November 22, 1994. U.S. Reg. No. 1864076 has achieved incontestable status.
5. Opposer is the owner of U.S. App. Serial No. 76673591 for the trademark A ASHLEY FURNITURE INDUSTRIES and Design for use on or in connection with "comforters, bed skirts, throws, and pillow shams," in International Class 24 and "area rugs" in International Class 27. U.S. App. Serial No. 76673591 was filed on March 5, 2007. U.S. App. Serial No. 76673591 was published for opposition on November 20, 2007.
6. Opposer is also the owner of the famous family of ASHLEY marks, used for goods and services in International Classes 20 and 24, including furniture and retail store services, based on its ownership of U.S. Reg. Nos. 3267080, 2980669, 2894665, 2752333, 2680466, 2449045, 2231864, 2053455, 1903578, 1864076, 1604686, and 1600879 and U.S. App. Serial Nos. 76673591, 76648805, 76649761, 76646621, 76647963, 76535371, 76535368, 76506913, and 75614632. Printouts from the U.S. Patent and Trademark Office official website summarizing these applications and registrations are attached hereto as Attachment A and hereby made a part

of this record ("Opposer's Marks"). The aforesaid applications and registrations are valid and subsisting, and owned by Opposer. Opposer owns all of the goodwill represented thereby.

7. Applicant seeks registration of the trademark ASHLEY JUDD for, among other things, "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtain and draperies, table cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics" in International Class 24.
8. On February 2, 2007, Applicant filed its application to register ASHLEY JUDD. This filing was subsequent to the registration date of Opposer's US Reg. Nos. 1600879 and 1864076. Thus, there is no issue of priority, as Opposer enjoys prior rights.
9. Upon information and belief, Applicant is not using the ASHLEY JUDD mark in interstate commerce.
10. Opposer manufactures and sells household furniture, home furnishings, and home décor products bearing the trademark ASHLEY.
11. The ASHLEY mark has been used in connection with furniture and continuously in commerce since at least as early as 1946.

12. Over the last several decades, Opposer has enjoyed ever-increasing sales of a variety of ASHLEY branded furniture, home furnishing, and home decor products throughout the United States.
13. Opposer's retail sales have been supported by extensive and ongoing advertising and promotional campaigns, which have created widespread consumer and industry recognition and significant goodwill in the marks.
14. Because of the continuous use of the trademark in interstate commerce, Opposer's ASHLEY trademark has achieved incontestable status under 15 U.S.C.A. §1065.
15. Applicant's Mark is confusingly similar to Opposer's Marks.
16. Applicant's intended use of the trademark ASHLEY JUDD for "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, shower curtains, curtain and draperies, throws, and upholstery fabrics" in International Class 24 will create a likelihood of confusion among consumers as to the source of the services because the marks are similar in appearance and suggestion.
17. Applicant's Mark and Opposer's Marks are very similar in sound, appearance, and commercial impression with the common use of

Opposer's entire mark ASHLEY.

18. Applicant's Mark and Opposer's Marks are to be used in connection with identical and/or similar goods.
19. Applicant's Mark and Opposer's Marks are to be used in the same and/or similar channels of trade.
20. Upon information and belief, Applicant's Mark and Opposer's Marks will be encountered by the same purchasers.
21. Use of the ASHLEY JUDD mark by Applicant is likely to cause confusion or mistake in the minds of the public and lead the public and prospective purchasers to believe that Applicant's goods are those of Opposer or are endorsed, sponsored or otherwise affiliated or connected with Opposer.
22. Applicant's Mark will dilute Opposer's Marks by diminishing the cited registered marks' capacity to distinguish, and identify the source of Opposer's goods and services.
23. Such confusion and dilution will damage and injure the purchasing public and Opposer

WHEREFORE, this Opposer believes and avers that it will be damaged by registration of the ASHLEY JUDD mark, and prays that U.S. App. Serial No. 77/116839 be rejected, that no registration in International Classes 20 and 24 be issued thereon to Applicant, and that the Opposition be sustained in favor of Opposer.

This Notice of Opposition is submitted with the requisite filing fee.

Respectfully submitted,

ASHLEY FURNITURE INDUSTRIES, INC.,

Date: February 14, 2008

By: 

Thomas J. Wimbiscus
Ronald A DiCerbo
McAndrews, Held & Malloy, Ltd.
34th Floor
500 West Madison Street
Chicago, Illinois 60661
Telephone: (312) 775-8000

One of the Attorneys for
Ashley Furniture Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, a copy of the foregoing NOTICE OF OPPOSITION was served upon Applicant's counsel by depositing same with the United States Postal Service as First Class Mail in an envelope addressed as follows:

Steven M. Gerber
666 5th Avenue
26th Floor
New York, NY 10103

Date: February 14, 2008

By: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark
Application Serial No. 77/116870
Filing Date: February 2, 2007
Mark: ASHLEY BY ASHLEY JUDD
Published for Opposition: January 15, 2008

ASHLEY FURNITURE INDUSTRIES, INC.,

Opposer,

v.

ASHLEY JUDD,

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

Opposer ASHLEY FURNITURE INDUSTRIES, INC. ("Opposer") believes that it is or will be damaged by registration of the trademark ASHLEY BY ASHLEY JUDD ("Applicant's Mark") as set forth in U.S. Application Serial No. 77/116870 (the "Application") filed by ASHLEY JUDD ("Applicant"). Accordingly, Opposer hereby opposes registration of Applicant's Mark as to the goods in International Classes 20 and 24.

The grounds for this Opposition are as follows:

1. Opposer is a corporation organized and existing under the laws of the State of Wisconsin.
2. Opposer's principal office is located at One Ashley Way, Arcadia, Wisconsin, 54612.

3. Opposer is the owner of U.S. Reg. No. 1600879 for the trademark ASHLEY for use on or in connection with "furniture," in International Class 20. U.S. Reg. No. 1600879 was registered on June 12, 1990. U.S. Reg. No. 1600879 has achieved incontestable status.
4. Opposer is the owner of U.S. Reg. No. 1864076 for the trademark ASHLEY for use on or in connection with "retail store services in the field of furniture," in International Class 42. U.S. Reg. No. 1864076 was registered on November 22, 1994. U.S. Reg. No. 1864076 has achieved incontestable status.
5. Opposer is the owner of U.S. App. Serial No. 76673591 for the trademark A ASHLEY FURNITURE INDUSTRIES and Design for use on or in connection with "comforters, bed skirts, throws, and pillow shams," in International Class 24 and "area rugs" in International Class 27. U.S. App. Serial No. 76673591 was filed on March 5, 2007. U.S. App. Serial No. 76673591 was published for opposition on November 20, 2007.
6. Opposer is also the owner of the famous family of ASHLEY marks, used for goods and services in International Classes 20 and 24, including furniture and retail store services, based on its ownership of U.S. Reg. Nos. 3267080, 2980669, 2894665, 2752333, 2680466, 2449045, 2231864, 2053455, 1903578, 1864076, 1604686, and 1600879 and U.S. App. Serial Nos. 76673591, 76648805, 76649761, 76646621, 76647963, 76535371, 76535368, 76506913, and 75614632. Printouts from the U.S. Patent and Trademark Office official website summarizing these applications and

registrations are attached hereto as Attachment A and hereby made a part of this record ("Opposer's Marks"). The aforesaid applications and registrations are valid and subsisting, and owned by Opposer. Opposer owns all of the goodwill represented thereby.

7. Applicant seeks registration of the trademark ASHLEY BY ASHLEY JUDD for, among other things, "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtain and draperies, table cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics" in International Class 24.
8. On February 2, 2007, Applicant filed its application to register ASHLEY BY ASHLEY JUDD. This filing was subsequent to the registration date of Opposer's US Reg. Nos. 1600879 and 1864076. Thus, there is no issue of priority, as Opposer enjoys prior rights.
9. Upon information and belief, Applicant is not using the ASHLEY BY ASHLEY JUDD mark in interstate commerce.
10. Opposer manufactures and sells household furniture, home furnishings, and home décor products bearing the trademark ASHLEY.
11. The ASHLEY mark has been used in connection with furniture and

continuously in commerce since at least as early as 1946.

12. Over the last several decades, Opposer has enjoyed ever-increasing sales of a variety of ASHLEY branded furniture, home furnishing, and home decor products throughout the United States.
13. Opposer's retail sales have been supported by extensive and ongoing advertising and promotional campaigns, which have created widespread consumer and industry recognition and significant goodwill in the marks.
14. Because of the continuous use of the trademark in interstate commerce, Opposer's ASHLEY trademark has achieved incontestable status under 15 U.S.C.A. §1065.
15. Applicant's Mark is confusingly similar to Opposer's Marks.
16. Applicant's intended use of the trademark ASHLEY BY ASHLEY JUDD for "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, shower curtains, curtain and draperies, throws, and upholstery fabrics" in International Class 24 will create a likelihood of confusion among consumers as to the source of the services because the marks are similar in appearance and suggestion.
17. Applicant's Mark and Opposer's Marks are very similar in sound,

appearance, and commercial impression with the common use of Opposer's entire mark ASHLEY.

18. Applicant's Mark and Opposer's Marks are to be used in connection with identical and/or similar goods.
19. Applicant's Mark and Opposer's Marks are to be used in the same and/or similar channels of trade.
20. Upon information and belief, Applicant's Mark and Opposer's Marks will be encountered by the same purchasers.
21. Use of the ASHLEY BY ASHLEY JUDD mark by Applicant is likely to cause confusion or mistake in the minds of the public and lead the public and prospective purchasers to believe that Applicant's goods are those of Opposer or are endorsed, sponsored or otherwise affiliated or connected with Opposer.
22. Applicant's Mark will dilute Opposer's Marks by diminishing the cited registered marks' capacity to distinguish, and identify the source of Opposer's goods and services.
23. Such confusion and dilution will damage and injure the purchasing public and Opposer

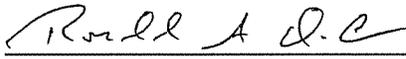
WHEREFORE, this Opposer believes and avers that it will be damaged by registration of the ASHLEY BY ASHLEY JUDD mark, and prays that U.S. App. Serial No. 77/116870 be rejected, that no registration in International Classes 20 and 24 be issued thereon to Applicant, and that the Opposition be sustained in favor of Opposer.

This Notice of Opposition is submitted with the requisite filing fee.

Respectfully submitted,

ASHLEY FURNITURE INDUSTRIES, INC.,

Date: February 14, 2008

By: 

Thomas J. Wimbiscus
Ronald A DiCerbo
McAndrews, Held & Malloy, Ltd.
34th Floor
500 West Madison Street
Chicago, Illinois 60661
Telephone: (312) 775-8000

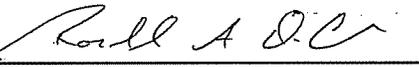
One of the Attorneys for
Ashley Furniture Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, a copy of the foregoing NOTICE OF OPPOSITION was served upon Applicant's counsel by depositing same with the United States Postal Service as First Class Mail in an envelope addressed as follows:

Steven M. Gerber
666 5th Avenue
26th Floor
New York, NY 10103

Date: February 14, 2008

By: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark
Application Serial No. 77/131841
Filing Date: March 15, 2007
Mark: A.J. BY ASHLEY JUDD
Published for Opposition: January 15, 2008

ASHLEY FURNITURE INDUSTRIES, INC.,

Opposer,

v.

ASHLEY JUDD,

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

Opposer ASHLEY FURNITURE INDUSTRIES, INC. ("Opposer") believes that it is or will be damaged by registration of the trademark A.J. BY ASHLEY JUDD ("Applicant's Mark") as set forth in U.S. Application Serial No. 77/131841 (the "Application") filed by ASHLEY JUDD ("Applicant"). Accordingly, Opposer hereby opposes registration of Applicant's Mark as to the goods in International Classes 20 and 24.

The grounds for this Opposition are as follows:

1. Opposer is a corporation organized and existing under the laws of the State of Wisconsin.
2. Opposer's principal office is located at One Ashley Way, Arcadia, Wisconsin, 54612.

3. Opposer is the owner of U.S. Reg. No. 1600879 for the trademark ASHLEY for use on or in connection with "furniture," in International Class 20. U.S. Reg. No. 1600879 was registered on June 12, 1990. U.S. Reg. No. 1600879 has achieved incontestable status.
4. Opposer is the owner of U.S. Reg. No. 1864076 for the trademark ASHLEY for use on or in connection with "retail store services in the field of furniture," in International Class 42. U.S. Reg. No. 1864076 was registered on November 22, 1994. U.S. Reg. No. 1864076 has achieved incontestable status.
5. Opposer is the owner of U.S. App. Serial No. 76673591 for the trademark A ASHLEY FURNITURE INDUSTRIES and Design for use on or in connection with "comforters, bed skirts, throws, and pillow shams," in International Class 24 and "area rugs" in International Class 27. U.S. App. Serial No. 76673591 was filed on March 5, 2007. U.S. App. Serial No. 76673591 was published for opposition on November 20, 2007.
6. Opposer is also the owner of the famous family of ASHLEY marks, used for goods and services in International Classes 20 and 24, including furniture and retail store services, based on its ownership of U.S. Reg. Nos. 3267080, 2980669, 2894665, 2752333, 2680466, 2449045, 2231864, 2053455, 1903578, 1864076, 1604686, and 1600879 and U.S. App. Serial Nos. 76673591, 76648805, 76649761, 76646621, 76647963, 76535371, 76535368, 76506913, and 75614632. Printouts from the U.S. Patent and Trademark Office official website summarizing these applications and

registrations are attached hereto as Attachment A and hereby made a part of this record ("Opposer's Marks"). The aforesaid applications and registrations are valid and subsisting, and owned by Opposer. Opposer owns all of the goodwill represented thereby.

7. Applicant seeks registration of the trademark A.J. BY ASHLEY JUDD for, among other things, "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtain and draperies, table cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics" in International Class 24.
8. On March 15, 2007, Applicant filed its application to register A.J. BY ASHLEY JUDD. This filing was subsequent to the registration date of Opposer's US Reg. Nos. 1600879 and 1864076 and the filing date of Opposer's U.S. App. Serial No. 76673591. Thus, there is no issue of priority, as Opposer enjoys prior rights.
9. Upon information and belief, Applicant is not using the A.J. BY ASHLEY JUDD mark in interstate commerce.
10. Opposer manufactures and sells household furniture, home furnishings, and home décor products bearing the trademark ASHLEY.

11. The ASHLEY mark has been used in connection with furniture and continuously in commerce since at least as early as 1946.
12. Over the last several decades, Opposer has enjoyed ever-increasing sales of a variety of ASHLEY branded furniture, home furnishing, and home decor products throughout the United States.
13. Opposer's retail sales have been supported by extensive and ongoing advertising and promotional campaigns, which have created widespread consumer and industry recognition and significant goodwill in the marks.
14. Because of the continuous use of the trademark in interstate commerce, Opposer's ASHLEY trademark has achieved incontestable status under 15 U.S.C.A. §1065.
15. Applicant's Mark is confusingly similar to Opposer's Marks.
16. Applicant's intended use of the trademark A.J. BY ASHLEY JUDD for "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, shower curtains, curtain and draperies, throws, and upholstery fabrics" in International Class 24 will create a likelihood of confusion among consumers as to the source of the services because the marks are similar in appearance and suggestion.

17. Applicant's Mark and Opposer's Marks are very similar in sound, appearance, and commercial impression with the common use of Opposer's entire mark ASHLEY.
18. Applicant's Mark and Opposer's Marks are to be used in connection with identical and/or similar goods.
19. Applicant's Mark and Opposer's Marks are to be used in the same and/or similar channels of trade.
20. Upon information and belief, Applicant's Mark and Opposer's Marks will be encountered by the same purchasers.
21. Use of the A.J. BY ASHLEY JUDD mark by Applicant is likely to cause confusion or mistake in the minds of the public and lead the public and prospective purchasers to believe that Applicant's goods are those of Opposer or are endorsed, sponsored or otherwise affiliated or connected with Opposer.
22. Applicant's Mark will dilute Opposer's Marks by diminishing the cited registered marks' capacity to distinguish, and identify the source of Opposer's goods and services.
23. Such confusion and dilution will damage and injure the purchasing public and Opposer

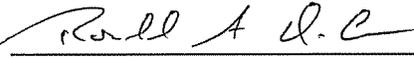
WHEREFORE, this Opposer believes and avers that it will be damaged by registration of the A.J. BY ASHLEY JUDD mark, and prays that U.S. App. Serial No. 77/131841 be rejected, that no registration in International Classes 20 and 24 be issued thereon to Applicant, and that the Opposition be sustained in favor of Opposer.

This Notice of Opposition is submitted with the requisite filing fee.

Respectfully submitted,

ASHLEY FURNITURE INDUSTRIES, INC.,

Date: February 14, 2008

By:  _____

Thomas J. Wimbiscus
Ronald A DiCerbo
McAndrews, Held & Malloy, Ltd.
34th Floor
500 West Madison Street
Chicago, Illinois 60661
Telephone: (312) 775-8000

One of the Attorneys for
Ashley Furniture Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, a copy of the foregoing NOTICE OF OPPOSITION was served upon Applicant's counsel by depositing same with the United States Postal Service as First Class Mail in an envelope addressed as follows:

Steven M. Gerber
666 5th Avenue
26th Floor
New York, NY 10103

Date: February 14, 2008

By: *Ronald A. D.C.*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark
Application Serial No. 77/132209
Filing Date: March 15, 2007
Mark: LOVE, ASHLEY
Published for Opposition: January 15, 2008

ASHLEY FURNITURE INDUSTRIES, INC.,

Opposer,

v.

ASHLEY JUDD,

Applicant.

Opposition No.

NOTICE OF OPPOSITION

Opposer ASHLEY FURNITURE INDUSTRIES, INC. ("Opposer") believes that it is or will be damaged by registration of the trademark LOVE, ASHLEY ("Applicant's Mark") as set forth in U.S. Application Serial No. 77/132209 (the "Application") filed by ASHLEY JUDD ("Applicant"). Accordingly, Opposer hereby opposes registration of Applicant's Mark as to the goods in International Classes 20 and 24.

The grounds for this Opposition are as follows:

1. Opposer is a corporation organized and existing under the laws of the State of Wisconsin.
2. Opposer's principal office is located at One Ashley Way, Arcadia, Wisconsin, 54612.
3. Opposer is the owner of U.S. Reg. No. 1600879 for the trademark ASHLEY

for use on or in connection with "furniture," in International Class 20. U.S. Reg. No. 1600879 was registered on June 12, 1990. U.S. Reg. No. 1600879 has achieved incontestable status.

4. Opposer is the owner of U.S. Reg. No. 1864076 for the trademark ASHLEY for use on or in connection with "retail store services in the field of furniture," in International Class 42. U.S. Reg. No. 1864076 was registered on November 22, 1994. U.S. Reg. No. 1864076 has achieved incontestable status.
5. Opposer is the owner of U.S. App. Serial No. 76673591 for the trademark A ASHLEY FURNITURE INDUSTRIES and Design for use on or in connection with "comforters, bed skirts, throws, and pillow shams," in International Class 24 and "area rugs" in International Class 27. U.S. App. Serial No. 76673591 was filed on March 5, 2007. U.S. App. Serial No. 76673591 was published for opposition on November 20, 2007.
6. Opposer is also the owner of the famous family of ASHLEY marks, used for goods and services in International Classes 20 and 24, including furniture and retail store services, based on its ownership of U.S. Reg. Nos. 3267080, 2980669, 2894665, 2752333, 2680466, 2449045, 2231864, 2053455, 1903578, 1864076, 1604686, and 1600879 and U.S. App. Serial Nos. 76673591, 76648805, 76649761, 76646621, 76647963, 76535371, 76535368, 76506913, and 75614632. Printouts from the U.S. Patent and Trademark Office official website summarizing these applications and registrations are attached hereto as Attachment A and hereby made a part

of this record ("Opposer's Marks"). The aforesaid applications and registrations are valid and subsisting, and owned by Opposer. Opposer owns all of the goodwill represented thereby.

7. Applicant seeks registration of the trademark LOVE, ASHLEY for, among other things, "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, towels, beach towels, shower curtains, curtain and draperies, table cloths not of paper, cloth napkins, textile placemats, throws, and upholstery fabrics" in International Class 24.
8. On March 15, 2007, Applicant filed its application to register LOVE, ASHLEY. This filing was subsequent to the registration date of Opposer's US Reg. Nos. 1600879 and 1864076 and the filing date of Opposer's U.S. App. Serial No. 76673591. Thus, there is no issue of priority, as Opposer enjoys prior rights.
9. Upon information and belief, Applicant is not using the LOVE, ASHLEY mark in interstate commerce.
10. Opposer manufactures and sells household furniture, home furnishings, and home décor products bearing the trademark ASHLEY.
11. The ASHLEY mark has been used in connection with furniture and

continuously in commerce since at least as early as 1946.

12. Over the last several decades, Opposer has enjoyed ever-increasing sales of a variety of ASHLEY branded furniture, home furnishing, and home decor products throughout the United States.
13. Opposer's retail sales have been supported by extensive and ongoing advertising and promotional campaigns, which have created widespread consumer and industry recognition and significant goodwill in the marks.
14. Because of the continuous use of the trademark in interstate commerce, Opposer's ASHLEY trademark has achieved "incontestable" status under 15 U.S.C.A. §1065.
15. Applicant's Mark is confusingly similar to Opposer's Marks.
16. Applicant's intended use of the trademark LOVE, ASHLEY for "furniture, cabinets, mirrors and picture frames, pillows, chair pads, window blinds, window shades, closet organizers comprised of shelves and storage racks, curtain hardware, namely, shower curtain rings, curtain rings, and finials; sleeping bags, and key fobs not of metal" in International Class 20 and "bed sheets, mattress pads, pillow cases, pillow shams, comforters, quilts, bed spreads, bed skirts, duvets, comforter covers, bed blankets, afghans, shower curtains, curtain and draperies, throws, and upholstery fabrics" in International Class 24 will create a likelihood of confusion among consumers as to the source of the services because the marks are similar in appearance and suggestion.
17. Applicant's Mark and Opposer's Marks are very similar in sound,

appearance, and commercial impression with the common use of Opposer's entire mark ASHLEY.

18. Applicant's Mark and Opposer's Marks are to be used in connection with identical and/or similar goods.
19. Applicant's Mark and Opposer's Marks are to be used in the same and/or similar channels of trade.
20. Upon information and belief, Applicant's Mark and Opposer's Marks will be encountered by the same purchasers.
21. Use of the LOVE, ASHLEY mark by Applicant is likely to cause confusion or mistake in the minds of the public and lead the public and prospective purchasers to believe that Applicant's goods are those of Opposer or are endorsed, sponsored or otherwise affiliated or connected with Opposer.
22. Applicant's Mark will dilute Opposer's Marks by diminishing the cited registered marks' capacity to distinguish, and identify the source of Opposer's goods and services.
23. Such confusion and dilution will damage and injure the purchasing public and Opposer

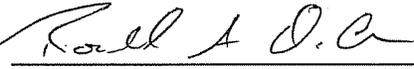
WHEREFORE, this Opposer believes and avers that it will be damaged by registration of the LOVE, ASHLEY mark, and prays that U.S. App. Serial No. 77/132209 be rejected, that no registration in International Classes 20 and 24 be issued thereon to Applicant, and that the Opposition be sustained in favor of Opposer.

This Notice of Opposition is submitted with the requisite filing fee.

Respectfully submitted,

ASHLEY FURNITURE INDUSTRIES, INC.,

Date: February 14, 2008

By:  _____

Thomas J. Wimbiscus
Ronald A DiCerbo
McAndrews, Held & Malloy, Ltd.
34th Floor
500 West Madison Street
Chicago, Illinois 60661
Telephone: (312) 775-8000

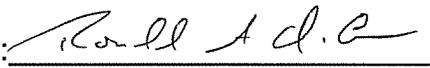
One of the Attorneys for
Ashley Furniture Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, a copy of the foregoing NOTICE OF OPPOSITION was served upon Applicant's counsel by depositing same with the United States Postal Service as First Class Mail in an envelope addressed as follows:

Steven M. Gerber
666 5th Avenue
26th Floor
New York, NY 10103

Date: February 14, 2008

By: 



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Word Mark A ASHLEY FURNITURE INDUSTRIES
Goods and Services IC 024. US 042 050. G & S: comforters, bed skirts, throws, and pillow shams. FIRST USE: 20050800. FIRST USE IN COMMERCE: 20050800
 IC 027. US 019 020 037 042 050. G & S: area rugs. FIRST USE: 20050200. FIRST USE IN COMMERCE: 20050200
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.05.28 - Miscellaneous designs with overall triangular shape; Triangular shape (miscellaneous overall shape)
 27.03.01 - Geometric figures forming letters, numerals or punctuation
Serial Number 76673591
Filing Date March 5, 2007
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition November 20, 2007
Owner (APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1604686
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE INDUSTRIES" APART FROM THE MARK AS SHOWN



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Word Mark A ASHLEY FURNITURE INDUSTRIES
Goods and Services IC 039. US 100 105. G & S: Freight transportation by trucks. FIRST USE: 19840101. FIRST USE IN COMMERCE: 19840101
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 76664345
Filing Date August 9, 2006
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition May 8, 2007
Registration Number 3267080
Registration Date July 24, 2007
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1604686;2231864;2449045;2680466;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE INDUSTRIES" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE



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Word Mark	A ASHLEY ODDS & ENDS
Goods and Services	IC 035. US 100 101 102. G & S: retail store services in the field of furniture
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.05.08 - Letters, numerals or punctuation forming the perimeter of a triangle or comprising a triangle 27.03.01 - Geometric figures forming letters, numerals or punctuation
Serial Number	76648805
Filing Date	November 14, 2003
Current Filing Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record	Terrence J. Madden
Prior Registrations	2231864;2449045;2680466;AND OTHERS
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead	



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Word Mark A ASHLEY FURNITURE
Goods and Services IC 035. US 100 101 102. G & S: retail stores services in the field of furniture. FIRST USE: 20010901. FIRST USE IN COMMERCE: 20010901
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.05.03 - Incomplete triangles (must have two angles); Triangle, incomplete (two angles)
 27.03.01 - Geometric figures forming letters, numerals or punctuation
Serial Number 76524103
Filing Date June 13, 2003
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition March 16, 2004
Registration Number 2894665
Registration Date October 19, 2004
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 2449045;2680466;2752333
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK



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Word Mark A ASHLEY FURNITURE INDUSTRIES, INC.
Goods and Services IC 011. US 013 021 023 031 034. G & S: lamps. FIRST USE: 19990203. FIRST USE IN COMMERCE: 19990203
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 76649761
Filing Date October 28, 2005
Current Filing Basis 1A
Original Filing Basis 1A
Owner (APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1604686;2231864;2449045;2680466;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE INDUSTRIES INC." APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE



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ASHLEY FURNITURE HOMESTORE OUTLET

Word Mark ASHLEY FURNITURE HOMESTORE OUTLET
Goods and Services IC 035. US 100 101 102. G & S: retail store services in the field of furniture
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 76646621
Filing Date September 12, 2005
Current Filing Basis 1B
Original Filing Basis 1B
Owner (APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 2231864;2449045;2680466;2980669;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE HOMESTORE OUTLET" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Word Mark	ASHLEY FURNITURE HOMESTORE OUTLET
Goods and Services	IC 035. US 100 101 102. G & S: retail store services in the field of furniture
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	07.01.04 - Detached house 07.01.06 - Other houses 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number	76647963
Filing Date	October 5, 2005
Current Filing Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record	Terrence J. Madden
Prior Registrations	2231864;2449045;2680466;2980669;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE HOMESTORE OUTLET" APART FROM THE MARK AS SHOWN



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Word Mark A ASHLEY FURNITURE HOMESTORE
Goods and Services IC 035. US 100 101 102. G & S: retail store services in the field of furniture. FIRST USE: 20040415. FIRST USE IN COMMERCE: 20040415
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 76596048
Filing Date June 7, 2004
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition May 10, 2005
Registration Number 2980669
Registration Date August 2, 2005
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1604686;2231864;2449045;2680466;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE" and "HOMESTORE" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK



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Word Mark ASHLEY FURNITURE SUPERSTORE
Goods and Services IC 035. US 100 101 102. G & S: Retail store services in the field of furniture
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 07.01.04 - Detached house
 26.15.02 - Plain single or multiple line polygons; Polygons (plain, single line)
 26.17.12 - Angles (geometric); Chevrons
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number 76535371
Filing Date July 28, 2003
Current Filing Basis 1B
Original Filing Basis 1B
Owner (APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1600879;1604686;1864076;2231864;2449045;2680466;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE FURNITURE SUPERSTORE APART



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Typed Drawing

Word Mark ASHLEY FURNITURE SUPERSTORE
Goods and Services IC 035. US 100 101 102. G & S: Retail store services in the field of furniture
Mark Drawing Code (1) TYPED DRAWING
Serial Number 76535368
Filing Date July 28, 2003
Current Filing Basis 1B
Original Filing Basis 1B
Owner (APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1600879;1604686;1864076;2231864;2449045;2680466;AND OTHERS
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Typed Drawing

Word Mark ASHLEY FURNITURE EXPRESS
Goods and Services IC 035. US 100 101 102. G & S: Retail store services in the field of furniture
Mark Drawing Code (1) TYPED DRAWING
Serial Number 76506913
Filing Date March 31, 2003
Current Filing Basis 1B
Original Filing Basis 1B
Owner (APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1864076;2231864;2680466
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE EXPRESS" APART FROM THE MARK AS SHOWN
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Word Mark **ASHLEY**
Goods and Services IC 020. US 002 013 022 025 032 050. G & S: furniture. FIRST USE: 20020101. FIRST USE IN COMMERCE: 20020101
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 03.15.01 - Eagles
 03.15.24 - Stylized birds and bats
 26.05.02 - Plain single line triangles; Triangles, plain single line
 26.05.21 - Triangles that are completely or partially shaded
Serial Number 76424448
Filing Date June 24, 2002
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition May 27, 2003
Registration Number 2752333
Registration Date August 19, 2003
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1600879;1604686;2231864;2449045;AND OTHERS
Type of Mark TRADEMARK



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Typed Drawing

Word Mark ASHLEY FURNITURE HOMESTORE
Goods and Services IC 035. US 100 101 102. G & S: retail store services in the field of furniture. FIRST USE: 19980601. FIRST USE IN COMMERCE: 19980601
Mark Drawing Code (1) TYPED DRAWING
Serial Number 76363814
Filing Date January 29, 2002
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition November 5, 2002
Registration Number 2680466
Registration Date January 28, 2003
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1600879;2231864;2449045
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FURNITURE HOMESTORE" APART FROM THE MARK AS SHOWN
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Typed Drawing

Word Mark LADY ASHLEY
Goods and Services IC 020. US 002 013 022 025 032 050. G & S: mattresses, other than mattresses sold through upscale and high-end retail stores. FIRST USE: 19980820. FIRST USE IN COMMERCE: 19980820
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75614632
Filing Date January 4, 1999
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition June 5, 2001
Owner (APPLICANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Type of Mark TRADEMARK
Register PRINCIPAL
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Word Mark **ASHLEY FURNITURE HOMESTORE**
Goods and Services IC 035. US 100 101 102. G & S: retail store services in the field of furniture. FIRST USE: 19980601. FIRST USE IN COMMERCE: 19980601
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 07.07.25 - Domes; Loading platforms; Solar panels
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number 75938885
Filing Date March 8, 2000
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition February 13, 2001
Registration Number 2449045
Registration Date May 8, 2001
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record Terrence J. Madden
Prior Registrations 1600879;1864076;1903578;2231864;AND OTHERS



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Typed Drawing

Word Mark ASHLEY HOMESTORES
Goods and Services IC 035. US 100 101 102. G & S: retail store services in the field of furniture. FIRST USE: 19971003. FIRST USE IN COMMERCE: 19971003
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75392452
Filing Date November 19, 1997
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition December 22, 1998
Registration Number 2231864
Registration Date March 16, 1999
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record TERRENCE J. MADDEN
Prior Registrations 1600879;1604686;1864076
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HOMESTORES" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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Typed Drawing

Word Mark ASHLEY WILKES
Goods and Services IC 020. US 002 013 022 025 032 050. G & S: furniture. FIRST USE: 19961017. FIRST USE IN COMMERCE: 19961017
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74702596
Filing Date July 13, 1995
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition March 5, 1996
Registration Number 2053455
Registration Date April 15, 1997
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record TERRENCE J. MADDEN
Prior Registrations 1600879;1604686;1864076
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20071019.
Renewal 1ST RENEWAL 20071019
Other Data The name in the mark does not identify any particular living individual.
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THE ASHLEY COMPANIES

Word Mark A THE ASHLEY COMPANIES
Goods and Services IC 020. US 032. G & S: furniture. FIRST USE: 19941001. FIRST USE IN COMMERCE: 19941001
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.01.02 - Circles, plain single line; Plain single line circles
 26.19.05 - Prisms ; Pyramids
 26.19.25 - Geometric solids other than spheres, cylinders, cones, cube, prisms or pyramids
Serial Number 74330809
Filing Date November 13, 1992
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition May 18, 1993
Registration Number 1903578
Registration Date July 4, 1995
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN ONE ASHLEY WAY Arcadia WISCONSIN 54612
Attorney of Record TERRANCE J. MADDEN
Prior Registrations 1600879;1604686
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Type of Mark TRADEMARK



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Typed Drawing

Word Mark ASHLEY
Goods and Services IC 042. US 101. G & S: retail store services in the field of furniture. FIRST USE: 19930712. FIRST USE IN COMMERCE: 19930712
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74453787
Filing Date October 28, 1993
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition August 30, 1994
Registration Number 1864076
Registration Date November 22, 1994
Owner (REGISTRANT) Ashley Furniture Industries, Inc. CORPORATION WISCONSIN One Ashley Way Arcadia WISCONSIN 54612
Attorney of Record TERENCE J MADDEN
Prior Registrations 1600879;1604686
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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Word Mark A **ASHLEY** FURNITURE INDUSTRIES
Goods and Services IC 020. US 032. G & S: FURNITURE. FIRST USE: 19840100. FIRST USE IN COMMERCE: 19840100
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.05.03 - Incomplete triangles (must have two angles); Triangle, incomplete (two angles) 27.03.01 - Geometric figures forming letters, numerals or punctuation
Serial Number 73742836
Filing Date July 28, 1988
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition April 10, 1990
Registration Number 1604686
Registration Date July 3, 1990
Owner (REGISTRANT) ASHLEY FURNITURE INDUSTRIES, INC. CORPORATION WISCONSIN ONE ASHLEY WAY ARCADIA WISCONSIN 54612
Attorney of Record TERRENCE J. MADDEN
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Filing Date July 10, 1989
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition March 20, 1990
Registration Number 1600879
Registration Date June 12, 1990
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Attorney of Record TERRENCE J. MADDEN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20010209.
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